

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

RONALD MCALLISTER, <i>et al.</i> ,)	No. 4:16-CV-00172-SNLJ 4:16-CV-00262 4:16-CV-00297 CONSOLIDATED
Plaintiffs,)	
v.)	
THE ST. LOUIS RAMS, LLC,)	
Defendant.)	

**[PROPOSED] FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
PERTAINING TO ATTORNEYS' FEES, EXPENSES AND INCENTIVE AWARDS**

This matter came before the Court for hearing under this Court's Preliminary Approval Order dated January 24, 2019 (#398) and on Plaintiffs' Application for Attorneys' Fees and Motion for Incentive Awards, dated March 15, 2019 (#399) ("Application and Motion").

Pursuant to Fed. R. Civ. P. 52(a), the Court makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. Plaintiffs' Application and Motion requests an award of attorneys' fees of \$7,200,000, to be divided equally by the FANS Class and Rams Class; an award of \$200,000 in expenses (\$64,695.81 to FANS Class counsel and \$135,304.19 to Rams Class Counsel); and incentive awards to Plaintiffs of \$20,000 to Ronald McAllister, \$20,000 to Richard Arnold, \$7,000 to R. Mcneeley Cochran and \$3,000 to Brad Pearlman, all to be paid by Defendant The St. Louis Rams, LLC ("Rams") and not to come out of the funds to be received by Class Members.

2. The Court finds that these requests are authorized by the parties' Settlement Agreement (#400-1) and that the Settlement Agreement sets forth reasonable procedures and deadlines for payment.

3. The Court finds that the request for attorneys' fees is fair and reasonable, considering the amount made available to the Class under the Settlement Agreement and the results obtained by Class Counsel; the contingent nature of the fees; the novelty and difficulty of the issues involved in the case; the experience, reputation and ability of the attorneys; awards in similar cases; the time and work required; and the preclusion of other employment by the attorneys due to acceptance of this case.

4. The Court finds that an award of costs of \$200,000 will reimburse Class Counsel for expenses that they reasonably bore during the course of this case.

5. The Court finds that the requested incentive awards are fair and reasonable in light of the time and effort that Plaintiffs devoted to this case.

6. The Court finds that no objections to the Application and Motion have been filed with the Court and that no party to this litigation has opposed the Application and Motion.

CONCLUSIONS OF LAW

1. The Court concludes that the requested attorneys' fees and expenses are authorized by Fed. R. Civ. P. 23(h).

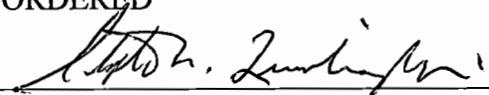
2. The Court concludes that the requested incentive awards are authorized by applicable case law. *See, e.g., Caligiuri v. Symantec Corp.*, 855 F.3d 860, 867 (8th Cir. 2017); *Fellows v. Am. Campus Communities Servs., Inc.*, 2018 WL 3056046, at *7 (E.D. Mo. June 20, 2018).

3. The Court concludes that the Application and Motion should be, and hereby is, **GRANTED.**

WHEREFORE, the Court enters the following Order:

1. The Rams shall pay attorneys' fees of \$3,600,000 to Class Counsel for the FANS Class and \$3,600,000 to Class Counsel for the Rams Class.
2. The Rams shall pay costs of \$200,000 to Class Counsel, to be divided \$64,695.81 to FANS Class counsel and \$135,304.19 to Rams Class Counsel.
3. The Rams shall pay incentive awards to Plaintiffs as follows:
 - a. \$20,000 to Ronald McAllister;
 - b. \$20,000 to Richard Arnold;
 - c. \$7,000 to R. McNeeley Cochran;
 - d. \$3,000 to Brad Pearlman.
4. The Rams are ordered to make these payments pursuant to the procedures and deadlines set forth in the Settlement Agreement.

SO ORDERED



Stephen N. Limbaugh, Jr.
United States District Judge

June 24, 2019